



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAJOR ACTIONS AND DECISIONS

May 1983-May 1984

This is a report reviewing the major actions and decisions during the past twelve months. The report is based on interviews with each of the Assistant Administrators, other EPA staff, material prepared by each of the programs and various agency documents.

I. OVERVIEW

EPA's accomplishments during the last 12 months can be grouped into five broad categories:

1. Strengthening Public Trust by Opening the Agency

The commitment made by the Administrator to function in a "fishbowl" is perceived by many of the Assistant Administrators as one of the major accomplishments. Public trust in EPA--and in Government in general--has improved because of this commitment to explain how decisions are made and to be responsive to the public.

Not only does it signal a commitment to act fairly and publicly, it has also had another effect that one of the Assistant Administrator's describes this way: "EPA had tended to forget the public. We had developed a habit of dealing only with industry, environmental organizations, and Congress. Now, for the first time we are dealing directly with the public itself." That encourages EPA to explain its methodology and rationale in a manner that the public understands. EPA is more sensitive to the needs and interests of various publics, e.g., high sulfur coal miners, Caribbean citrus producers. And EPA is talking directly with the public instead of communicating through emissaries.

2. Improvements in Morale and Performance

Morale throughout the Agency has improved dramatically. There is a renewed sense of mission, a reinvigorated commitment

to the public, a momentum to finish work that has languished, an urge to launch new initiatives, a desire to act decisively, a far more cooperative intra-agency attitude, and a firmer inter-agency stance. The implementation of the recommendations of the National Academy of Public Administration report further strengthen the Agency. While these are largely intangible improvements, they are widely perceived to be the fundamental accomplishments, the bedrock upon which all other accomplishments rest.

3. Strengthening of Agency Management

There is a widely-shared view that the improved planning, priority-setting, and tracking system that is operating throughout the Agency, and the recommendations of the various task forces have already had a positive impact on the Agency's operations and that as they become routinized--through, for example, the timely completion of the annual operating guidance--they will be an enduring contribution that will stabilize the Agency well into the future.

Increased attention paid to both the delegation of additional responsibility to the States and to more effective oversight is setting the stage for much improved Federal-State relations and for more effective actions.

As EPA matured and as issues became more complex, there was a loss of direction and a diminished ability to establish achievable priorities. EPA was tending toward an increasingly reactive mode of operation. Old issues languished undecided; emerging issues were sometimes ignored. Employees and the public now have a much better idea about where the Agency is going. Taxpayers' money can be spent far more productively in this new environment. Citizens can judge our performance based on concrete goals we set for ourselves.

4. Actions and Decisions

EPA has been at work even while renovations have been underway. During the past year the Agency has produced numerous decisions, some of which had been deferred, some of which were decided differently than they would have been, and some of which have set vital precedents for the future. While some areas of weakness remain, every EPA program can justly boast of major actions undertaken during the past year which would probably have not otherwise occurred.

A serious analysis of the quality of decision-making is beyond the scope of this report. It has been noted by many of your staff, however, that there are some obvious changes in the manner in which decisions have been made. Among the

changes are (1) a self-conscious desire to ensure that the decision-making process is "transparent," i.e., that Agency staff and the public fully understand the process and who is involved; (2) a much more consciously deliberative and methodical approach to the making of a decision; (3) an expanded search for options and a willingness to make more complex decisions; (4) a diligent search for a middle-ground and an unwillingness to be forced toward extreme positions, and (5) an increasingly effective system for incorporating the insights and input of all the constituencies concerned about a particular decision.

5. Commitment for the Future

Restoring an enduring, unshakable commitment to the Agency's primary goals--the protection of the environment and public health--has been a major goal during the past year. Throughout the Agency, there is a growing sense that EPA's future path is now being charted. Many inchoate feelings have been verbalized for the first time--chief among them that reducing risks to public health is a twin to the traditional goal of protecting the environment.

The commitment to improving our assessment and management of risk is another goal that is now permeating the Agency and which will during the years ahead vastly improve public trust and understanding as well as improve the quality of EPA's decisions.

EPA has a far firmer and more cogent vision of the future than it did a year ago.

II. MAJOR ACCOMPLISHMENTS

Agencywide

- Reestablishing credibility with the public, Congress, and the environmental and business communities.

EPA is trusted since it is perceived that decisions and policies are openly and rationally arrived at. Sen. Jake Garn, chairing a budget subcommittee hearing on March 20, noted that it was the first hearing he had chaired in which the Agency "has not been involved in a controversy, real or imagined."

During the last year, the Administrator and senior staff have made a concerted effort to meet with as many groups as possible, to solicit advice, and to incorporate constituent groups into the decision-making process. On acid rain, for example, you have met personally with more than 100 groups and individuals.

- Rebuilding of Staff Morale and Talent

One of the most notable achievements is the improvement in staff morale. EPA has always had high esprit de corps; that has now been rebuilt. This has been achieved in many ways including:

- You made a pledge during your confirmation hearing that your first priority would be to recruit the best people you could find to manage the Agency. There is general agreement that, as you said recently in a hearing, the recruitment effort has been "highly successful."
- Presidential appointees are skilled and dedicated.
- Your decision to choose professional and career employees such as Al Alm, Howard Messner, John Martin, and talented scientists like Bernard Goldstein and Jack Moore for key positions sent a favorable message to employees.
- Career employees are now routinely involved in making important decisions.
- The sense of vulnerability among Career Senior Executive Service staff has diminished because of a concerted effort to examine previous assignments, and to build closer relations among career SES staff.
- More than 900 new colleagues have been hired at all levels during the last half year.
- Through regional visits, attendance at Agency functions, etc., EPA staff believe their interests are better understood.
- Two new publications--EPA Times and Management Memo--keep staff informed.
- Training programs, especially in community relations, improve staff skills and heighten commitment.
- The new Human Resources Office will highlight EPA's concern for staff and will enhance EPA's efforts to improve working conditions.

- Stricter Adherence to Ethics Regulations

The Office of General Counsel has strengthened overall management of the ethics program to ensure compliance; updated

regulations incorporating changes to the 1978 Federal Act that were long overdue; developed a better working relationship with the Inspector General to have that office audit portions of the OGC program, developed procedures for deputy counselors to review financial statements that are now being used by the Office of Government Ethics as model for other agencies; held the first conference for ethics counselors; issued a 30-page publication on ethics requirements to each employee; initiated more individual counseling; and established a recusal system for employees with potential problems. The result is a much greater Agencywide consciousness of the need for scrupulous adherence to ethics regulations, including the appearance of conflicts of interest.

- Focus on Priority Problems has Superseded a "Scatter-Shot" Approach

To accompany its heightened sense of commitment, the Agency has a renewed sense of direction based on (1) the successful efforts to focus EPA efforts on a shared list of priorities, (2) an organized search for emerging problems and, (3) real participation in decision-making through consensus rather than through a trickle-down approach.

The development of a formal options selection process--that covers more than 39 key regulations this year--is providing a more systematic early assessment of regulatory option analysis and improving senior management control over the timing and quality of decision.

This enables EPA to do a better job of initiating action rather than reacting to outside pressure and court decisions. There is a growing sense among career staff that there is a consensus on operational goals and priorities and that we are "in control" of EPA once again.

- Increased Budget

The fiscal year 1984 and prospective 1985 budget increases, among the largest of any domestic Agency, not only allow EPA to accomplish more through increased staff and resources, it highlights the importance of EPA's responsibilities.

The 1984 request resulted in 1,100 workyears and \$265 million above the original 1984 request and the 1985 budget proposal includes increases of 750 workyears and \$295 million above the 1983 level. These additions, together, amount to dollar increases of 106 percent in the Superfund program and 27 percent in our operating programs. These budgets represent an investment in EPA's future and will allow us to address our critical environmental needs.

In Superfund and the regional offices, in particular, increased resources are already having a dramatic impact on the number of remedial cleanups and other hazardous waste activities.

- Clear and more appropriate "firm and fair" enforcement policy

While it has taken considerably longer than anticipated for there to be a quantifiable improvement in enforcement and compliance actions, results are now beginning to appear.

There is throughout EPA an understanding that enforcement and compliance decisions must be made without regard to real or spurious political considerations and that the ideal enforcer is one who remains intent on enforcing the law as written but who is also fair, realistic and innovative in the use of sanctions and remedies for noncompliance.

- Improved Partnership with States

As EPA has delegated more program responsibility to the States, the relationship between the two levels of government has become complex and more prone to conflict. A number of actions have improved relations between EPA and the States, among them:

- Stabilization of grant programs, which were in flux, has allowed States to plan better for the future.
- State officials have greater access to you and to other senior officials in the regions and in Washington.
- Hazardous waste cleanup efforts, often the most controversial environmental issue within a State, have been accelerated with EPA taking greater responsibility in Superfund priority cases.
- Regional offices are operating in a more professional manner.
- Changes in regulations, e.g., air sanctions policy and water quality degradation--have clarified EPA's position.
- Working to clarify respective roles and responsibilities in areas of direct program administration, particularly in enforcement, to improve effectiveness.

- Enhanced Affirmative Action and Equal Employment Opportunities

A concerted effort is being made to hire more minorities and women to fill positions of responsibility. The Office of Civil Rights has been strengthened and its work accorded a higher priority. The creation of the Human Resources Office will further enhance these efforts.

- Industry Can Anticipate Reasonable Actions

To plan for the future, industry needs to have a reasonable expectation of how environmental laws will be enforced and how regulations will change. The actions taken during the last year and the articulation of a statement of priorities helps industry plan and encourages compliance.

- Improved Understanding of Risk Assessment and Risk Management

The National Academy of Sciences and Princeton University speeches and other programs focusing on risk have encouraged EPA and its constituents to reflect on decision-making methods, hastened the completion of ongoing Agency efforts in toxic integration, spawned training programs, and broadened public interest and understanding of risk.

The Inter-Agency Task Force on Risk is encouraging Federal agencies to be more consistent in decisions on subjects involving more than one Agency.

- Creation of the Offices of Enforcement and Compliance Monitoring, and External Affairs

Congress approved the creation of two additional assistant administrators. The Office of External Affairs was established to coordinate congressional, intergovernmental, public and Federal affairs, to improve Agency responsiveness, public perception, and to broaden the Agency's constituency base.

The Office of Enforcement and Compliance monitoring was established to be the focal point for enforcement activity to ensure a stable, firm, and fair enforcement of the law.

- Implementation of Advanced Senior Management Planning System

To buttress EPA's basic decentralized management structure, the Deputy Administrator developed a strong system of integrated planning, guidance and oversight. A new

Strategic Planning and Management System was introduced to set goals and priorities, provide timely guidance, guarantee effective evaluation and oversight, and ensure internal audit and systemwide maintenance.

- Strengthening the Role of the Inspector General

Substantial gains have been made in strengthening the independent status of the Office of Inspector General. Organizationally, the Office of Inspector General has been removed from the Office of the Administrator and has been designated a national program manager. For the first time, it independently prepares and defends its budget within the Agency and to OMB and the Congress. A strong memorandum of understanding was signed by the Inspector General and the General Counsel affirming the independence of the Office of Inspector and providing for independent legal counsel. Initiatives were made for further actions to strengthen the role of the Inspector General in the coming year.

More staff has been allocated to the Inspector General's Office of Investigations to promote the fullest possible compliance with the Federal laws and regulations under our jurisdiction. An effective internal audit program has been established to examine many critical areas which have never been tested in EPA and to permit the correction of programs; and make the needed corrections.

- Strengthened Federal Facility Compliance

Memoranda of Understanding with the Departments of Defense and Energy and improved coordination with the Center for Disease Control have strengthened inter-Agency cooperation, and helped resolve some pending issues.

Office of Water:

- Stronger Water Quality Standards for the States

After a great deal of time and controversy, EPA issued these regulations in November 1983 with the approval of the Senate and previous opponents. A water quality standard defines the water quality goals for a particular water body by deciding what its use will be and by setting criteria necessary to protect that use. States adopt water quality standards to protect health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. The

revised regulation increases the emphasis on State standards on control of toxic pollutants, provides for mandatory upgrading of uses to the goals of the Act, clarifies downgrading provisions, and clarifies and expands the anti-degradation policy.

- National Municipal Policy

This policy was designed to improve municipal compliance with the Clean Water Act. The law requires all publicly owned treatment works (POTWs) to meet the statutory compliance deadlines and to achieve the water quality objectives of the Act, whether or not they receive Federal funds. The Office of Water will focus on POTWs that previously received Federal funding assistance and are not currently in compliance with their applicable effluent limits, on all other major POTWs, and on minor POTWs that are contributing significantly to impairing water quality. Where there are extraordinary circumstances precluding compliance of such facilities by July 1, 1988, EPA will work with States and the affected municipal authorities to ensure that these POTWs are on enforceable schedules for achieving compliance as soon as possible, and are doing all they can in the meantime to abate pollution to the nation's water.

- Final Construction Grants Regulations

These regulations implement the Municipal Grant Amendments of 1981 and are shorter, simpler, and allow more flexibility. They will speed up the construction grants process so that municipalities can avoid costly delays.

- Office of Ground-water Protection

This office is responsible for coordinating Agency ground-water policy across program lines and overseeing the implementation of the ground water strategy. The strategy outlines a program of EPA assistance for State ground-water protection programs, identifies sources of ground-water pollution not currently regulated at the Federal level (such as underground storage tanks), and provides guidelines for coordinated and consistent management of EPA programs related to groundwater.

- Office of Marine and Estuarine Protection

To be established officially in the Summer of 1984, this office will be responsible for the ocean dumping program,

the 301(h) ocean discharge waiver program, and national oversight of the Chesapeake Bay and Great Lakes programs. This office will also be responsible for developing a policy on marine disposal and a more comprehensive revision of regulations to address incineration-at-sea and low level radioactive waste.

- **Redefinition of Secondary Treatment**

The comment period has closed and promulgation is expected by the end of July. The regulation defines trickling filters and waste stabilization ponds as equivalent to secondary treatment. This is particularly useful for small communities which cannot afford traditional secondary treatment plants. It also allows States to use a more accurate measurement of oxygen-demanding pollutants.

- **Chesapeake Bay Program Launched**

The research phase was completed in 1983 and the focus shifted to implementation. As a result of the study's findings an implementation framework was developed, presenting a series of alternative control plans for managing nutrient and toxic loadings from point and non-point sources. These plans, defining actions, roles, and responsibilities are the blueprint for all future control actions.

- **Wetlands Protection**

The Agency had been preparing a draft of new 404(b)(1) guidelines that would have made major substantive changes in how the nation's wetlands would be protected. On July 26, 1983, it was decided that there would be no changes on the guidelines unless the Administrator could be convinced that such changes were necessary.

- **Pretreatment Implementation Review Task Force**

When dealing with the reauthorization of the Clean Water Act, it became apparent that pretreatment was one of the most difficult problems. Therefore, the Agency has formed a task force representing various interests that has met twice and is charged with submitting an interim report to the Administrator by June and a final report in December. It will contain recommendations for modifying the existing pretreatment program to make it both flexible and environmentally sound.

Office of Air and Radiation:

- Adoption of Realistic Air Sanctions Policy

EPA's more realistic policy on imposing sanctions on areas that did not meet the mandated December 31, 1982 deadline for attainment replaces a punitive policy with a constructive alternative that focuses on the development and implementation of measures that will eventually lead to attainment in those areas where good faith efforts are being made to comply with Federal regulations.

- Preparation of Sound Cost-Benefit Analysis of Lead Phase-Down

Prepared analysis of costs and benefits of a virtual phase-out of lead in gasoline. An analysis of regulatory options to implement a phase-out program is being conducted.

- Fuel Switching and Tampering Control Program Strengthened

EPA's enforcement program has brought a number of major legal actions against those tampering with emission controls on automobiles, selling leaded gasoline as unleaded, and blending fuel with excessive alcohol.

- Particulate Matter Standard Improved

The March 1984 decision to change the existing particulate matter standard for one which focuses primarily on smaller particles that are more likely to be inhaled marks a major step forward in the application of improved, sophisticated risk assessments.

- Major Actions on Toxic Pollutants

The agency has finally taken action on a number of long-pending toxic air pollution issues, proposing actions on benzene, toluene, polycyclic organic matter and preparing for action on coke oven emissions, maleic anhydride, ethylbenzene/styrene and benzene storage. In some cases, because it has been deemed that significant risks do not exist, EPA has decided not to regulate. Instead of resorting to "effective, nondecisionmaking" and further delay, EPA opted to make decisions on these issues and to explain why it was decided that regulations were unnecessary.

- Inorganic Arsenic Standard for Smelters Proposed

EPA chose to involve the public directly in the process of soliciting opinions on this standard by asking the citizens of Tacoma, Washington, for their views on the proposed standard. This is the first time EPA has so fully involved the public. From this experience has come a much better understanding of how to involve the public in decision-making.

- Uranium Mill Tailings Protection Standard Promulgated

The standards adopted for uranium mill tailings settle a long-pending issue and set precedents for the regulation of other radioactive standards.

- State Implementation Plan Revisions

EPA was required to approve state Clean Air Act plans to allow additional sulfur dioxide emissions in some areas which are in attainment.

- Acid Rain Data Developed Even Though No Additional Control Program

One of the major priorities was the development of a better understanding of the impact of acid rain in the Northeast and the development of various control options utilizing that scientific data. A number of options were developed, based on existing information. A decision was deferred on implementing any of these options, but major progress has been made in developing additional research imperatives for which additional funding is being requested.

Office of Solid Waste and Emergency Response

- Record Level of Funds Available

Funding for all hazardous waste management programs has been increasing steadily. Under the Superfund program, resources have grown from \$210 million and 776 workyears in fiscal 1983 to \$460 million and 1,007 workyears in fiscal 1984 and \$640 million and 1,357 workyears in fiscal 1985. The RCRA program has grown from \$118.6 million and 790 workyears in fiscal 1983 to \$128.7 million and 1,015 workyears in fiscal 1984 and \$143.3 million and 1,090 workyears in fiscal 1985.

- Major Increase in Permitting, Removals, Remedial Actions, etc.

With these new resources, program activities have expanded. Under Superfund, the number of removal actions increased from 94 in fiscal 1983 to 170 in each of fiscal years 1984 and 1985. Remedial investigations and feasibility studies will hold steady during the same period, but remedial designs will increase from 11 in fiscal 1983 to 40 in fiscal 1984 and 68 in fiscal 1985. Remedial actions will increase from 6 in fiscal 1983 to 17 in fiscal 1984 and 46 in fiscal 1985.

Under RCRA, permitting activity will be a priority during the coming fiscal years. By the end of fiscal 1985, the Agency will have completed permit call-ins for all land disposal and incineration facilities. State authorizations will be another priority. In fiscal 1983, no States had achieved final authorization to implement RCRA. During fiscal 1984, EPA projects it will grant final authorization to 11 States. By the end of fiscal 1985, 40 States are expected to have achieved final authorization. Compliance monitoring inspections also reflect growth due to increasing resources. EPA will conduct 915 RCRA inspections in fiscal 1984 and 1,399 in fiscal 1985. The States will conduct 11,970 inspections in fiscal 1984 and 12,236 in fiscal 1985.

- Simplification and Enhancement of Superfund Programs

EPA eliminated the 10 percent state cost-share requirement that delayed many remedial planning actions, clarified criteria under which emergency response can be undertaken to increase the number of sites where response is possible, and required that site analysis be conducted prior to negotiating with responsible parties to shorten the negotiating process.

- Dioxin Strategy Implementation

For the first time, EPA developed an Agencywide strategy for strengthening and coordinating action on a serious environmental problem. The strategy establishes program priorities and methods for identifying remedies to threats to public health.

- First Delegation of Hazardous Waste Program to State

Delaware became the first State to receive final authorization to manage RCRA programs; 10 more States are scheduled to receive authorization before the end of fiscal year 1984.

- Increased Number of Superfund National Priority List Sites

The National Priority List was issued in final form listing 418 sites. At the same time, EPA proposes to list an additional 133 sites.

- Rigorous Audit System Developed

A system was devised and implemented this year to monitor and review aggressively the integrity of laboratory data.

Office of Pesticides and Toxic Substances

- EDB Suspension and Cancellation Proceedings

Rapid action was taken this year when new data became available confirming ground-water contamination by EDB. As a result, EDB's use as a soil fumigant was suspended in September 1983. The discovery of EDB residues in grain led to a February 1984 decision to cancel its use as a grain fumigant and to establish maximum acceptable residue levels for grain and grain products.

- Dicofol Special Review Begun

Potential from DDT contamination in Dicofol triggered a special review of this substance.

- DBCP Cancellation Proposed

Evidence of drinking water contamination in Hawaii from this chemical used in pineapple fields led the Agency to propose cancellation of this sole remaining use.

- Cancellation of All Uses of 2,4,5-T and Silvex Proposed

After four years of negotiation, Dow Chemical agreed to withdraw its objection to EPA's proposal to cancel the major uses of these chemicals which the Agency had deemed posed unreasonable risks to human health. Following Dow's withdrawal, the Agency proposed cancellation of all remaining uses.

- Asbestos-in-Schools Program Launched

EPA began remedial actions to conduct surveys systematically, provide technical assistance, and take action to reduce the threats to public health from asbestos in schools based on the May 1983 publication of a strategic report on controlling asbestos. A number of school districts have been fined for providing false data on the presence of asbestos.

- Better records on alleged health harms required

Chemical manufacturers and certain processors are now required to keep records of "significant adverse reactions" to exposure to workplace chemicals for 30 years under Section 8 (c) of TSCA. This will enable EPA and other agencies to monitor more effectively health trends and take more timely action.

- Good Laboratory Practice Regulations Issued

To improve the standardization and reliability of scientific data, final Good Laboratory Practice regulations were issued under FIFRA and TSCA.

- Backlog of Court-Ordered Chemical Reviews Eliminated

The backlog of 37 chemicals that EPA was under court order to determine whether testing was necessary was eliminated, an encouraging sign that other backlogged reviews will also be completed.

- First Immediately Effective Rule Issued Under Toxic Substances Control Act

For the first time, EPA issued an immediately effective rule under Section 5(f) of TSCA that prohibits the use of a chemical in certain circumstances prior to it entering the marketplace.

- 1,3-Butadiene Priority Review Ordered

A priority review of this substance was ordered under Section 4(f) of TSCA based on evidence of possible carcinogenic characteristics.

- First Chemical Advisory

For the first time, the Agency issued an advisory warning on the health effects of a chemical in this instance about handling used motor oil.

Office of Research and Development

- Streamlining Research and Development Planning

The 14 research committees that advise ORD in planning and reviewing the research program were consolidated into five. This provides high level management direction from both headquarters and regional client offices, promotes agreement on long-term research needs, and promotes effective communication of research priorities across all programs managed by one client Assistant Administrator. The consolidated committees have already achieved a significant first milestone by fostering agreement between ORD and its client offices on the leading strategic research issues that will guide research program planning over the next five years. Ultimately, this will help ensure that EPA regulatory decisions are backed by sound scientific evidence delivered in a timely fashion.

Office of International Activities

- EPA Coordinator in Binational Mexican Agreement

EPA is the lead coordinator in implementing the binational U.S.-Mexican program agreed to in August 1983 between President Reagan and Mexican President de la Madrid. The two nations are principally discussing sanitation problems on the border.

- Renewed Leadership in OECD

EPA is taking the lead in environmental cooperation efforts between the U.S. and the OECD in Paris with a major focus on developing a notification procedure for the export of banned and severely restricted chemicals.

- EPA and Canadians Sign Phosphorus Pollution Agreement

The U.S. and Canada signed an agreement to extend cooperation on controlling phosphorus pollution in the Great Lakes, reinvigorating EPA's long-term cooperative relationship with Canada. The agreement was signed in October 1983 at a meeting chaired by Secretary of State George Shultz and Canadian External Affairs Minister Allan J. MacEachen.

- U.S.-China Environmental Contacts Restored

Face-to-face discussions between Chinese environmental officials and EPA were restored late last year when EPA sponsored a major visit to the U.S. by senior Chinese environment officials.

Task Forces

- Dioxin

Objective: Develop a national strategy for identifying, investigating, and cleaning up sites contaminated by this hazardous chemical.

Status: Developed a plan of action (December 15, 1983) that will enable EPA to direct the investigation of sites which seem to pose the most serious threat to human health, conduct sampling studies at a cross-section of other sites to assess potential or emerging problems and integrate research and regulatory action to improve our understanding and control over the short term.

- Non-Point Source Pollution

Objective: Assess current programs, options, and costs, and develop a balanced policy on the roles and responsibilities of Federal, State, and local governments so they can address this intractable problem.

Status: First meeting of this intergovernmental group, with representation from the Departments of Interior, Agriculture, and others, was held in April. A final report will go to the Administrator in December.

- Ground Water

Objective: Identify the inconsistencies among Federal programs and develop guidelines to improve coordination; assess the need for greater program coordination within EPA; and assess the need for control of currently unregulated sources of groundwater contaminants and outline a program of EPA assistance to help States to protect groundwater resources and solve the problem as they define it.

Status: Draft strategy document has been circulated among States and interested groups for comment. It recognizes that the States have an important role in groundwater protection. EPA's current role is to provide technical assistance and research support. An Office of Groundwater has been established to spearhead implementation of this strategy.

- Compliance and Enforcement

Objective: Develop statute-specific strategies to enable EPA to improve compliance in conjunction with its State partners.

Status: On January 18, 1984, produced formal strategies enabling both EPA, State programs, and field staff to work from a common framework toward mutual compliance and enforcement goals.

- Toxics Integration

Objective: Evaluate problems related to control of toxic substances; risk assessment, risk management, management of chemical crises and interagency coordination.

Status: Have initiated several immediate, practical steps, such as development of risk assessment guidelines in six different areas, a standard reporting format for information on risks and costs, and a process for assigning responsibility for management. The final report was revised April 2.

- Monitoring

Objective: Develop (1) an Agencywide monitoring policy, (2) guidance for programs' development of monitoring strategies, and (3) recommend management approaches to coordinate and integrate monitoring activities.

Status: Agencywide monitoring policy was issued December 23, 1983 and the guidance was issued January 16, 1984. A draft final report, which discusses options to improve the management of monitoring and recommendations for institutionalizing oversight of monitoring activities was presented March 29, 1984.

- Headquarters/Regional Relationship and Internal EPA Delegation of Authority

Objective: To examine four specific areas--policy for decentralized Agency management; guidance, accountability, and support for the policy; Regional involvement in planning and budgeting; and the

Regional organization structure--to assess appropriate roles and make recommendations to realign where necessary.

Status: The Task Force presented a final report in September 1983. It resulted in a:

- Policy framework for decentralized management; a revised delegations of authority to implement this policy will be completed in the Spring of 1984.
- Recognition of need for program offices to conduct strong, consistent oversight activities.
- Set of actions to strengthen regional participation in planning and budgeting. These are being pursued.
- Conclusion that no organizational changes were needed to enable decentralized decision-making.

● Acid Deposition Task Force

Objective: Assess current knowledge and develop policy options for addressing the acid deposition problem.

Status: Produced final report August 1, 1983. The report addressed five fundamental questions:

- Should emissions and their potential effects be further controlled?
- When should they be controlled?
- How should they be controlled?
- Where should they be controlled?
- To what extent should they be controlled?

A series of policy options was developed based on the report and presented to the Cabinet Council and the President, who selected a no control/additional research option. EPA is continuing to participate in the interagency research effort.

- State/Federal Roles

Objective: Examine the appropriate division of roles and functions between EPA and the States.

Status: The task force presented its final report on November 7, 1983. The report defined a new conceptual framework for how EPA and the States must work together in a partnership to achieve the nation's environmental goals, and assigned to each party roles and responsibilities appropriate to its unique placement and strengths. To implement the new framework, the Administrator directed the development of two policies, (1) Delegation and (2) Oversight, both of which were signed on March 27, 1984.

- Analytic Resources

Objective: Describe resources and practices applied to economic analysis in support of regulatory decision-making.

Status: Work was finished in September 1983. The Task Force completed four regulatory case studies, an inventory of economic staff resources and an accompanying analysis. The task force prepared an implementation plan for the Deputy Administrator's use in promoting better integration of economic analysis within the regulatory development process, and the Deputy Administrator is pursuing this plan with each Assistant Administrator. As of April, OAR, OPTS, and OW are in line with the implementation plan.

ANTICIPATED ACCOMPLISHMENTS
DURING THE NEXT SIX MONTHS

Office of Water

o Effluent Guideline -- Foundries

EPA is promulgating effluent limitations for the aluminum casting, copper casting, iron and steel casting, magnesium casting, lead casting, and zinc casting subcategories. Pollutants of concern include: zinc, copper, lead, and phenolic compounds. Final promulgation of the guideline is expected in late July.

o Effluent Guideline -- Inorganic Chemicals (Phase II)

EPA is proposing effluent limitations for the ten product-process subcategories of the inorganic chemicals industry. Final promulgation of the guideline is expected in late July.

o Effluent Guideline -- Nonferrous Metals (Phase II)

EPA is promulgating effluent limitations for the production and refining of metals from ore for several metals not covered by the final Phase I nonferrous regulation. Principal pollutants considered are toxic metals. A proposed guideline was published in February 1984; the final guideline is expected to be ready for the Administrator's signature in late October and to be promulgated in November.

o Effluent Guideline -- Plastics Molding and Forming

EPA is promulgating effluent limitations for the processes that blend, mold, or otherwise form plastic materials into intermediate or final plastic products. The pollutants of concern are biochemical oxygen demand, total organic carbon, total phenols, and some organic and metal toxic pollutants. The final guideline is expected by late September.

o Effluent Guideline -- Offshore Oil and Gas Platforms

EPA is repropoing effluent limitations for NSPS and BAT, proposing BAT, and amending portions of BPT. A proposed guideline is expected by late September.

o Effluent Guideline -- Ore Mining and Dressing (Gold Mining)

EPA is proposing BAT and NSPS effluent limitations for mines and mills that produce gold ores by ground separation methods, including mining of placer deposits, dredge mining, and hydrologic mining. The proposed guideline is expected by late October.

- o Effluent Guideline - Nonferrous Metals Forming

EPA is promulgating effluent limitations for the forming of nonferrous metals other than copper and aluminum. The pollutants of concern include: cadmium, chromium, lead, nickel, zinc, and toxic organics. The final guideline is expected in late October.

- o Effluent Guideline -- Pulp, Paper, Paperboard

EPA is promulgating effluent limitations for BCT, the control for the pollutant PCB (polychlorinated biphenyls), and the BOD limitations for the acidite grade production in the dissolving sulfite pulp subcategory. The final guidelines are expected in late July.

- o NPDES Regulation Revision (Litigation Package)

This regulation implements the NPDES issues from the June 1982, settlement agreement in NRDC v. EPA. The issues involve requirements for water discharge permits in the NPDES program. Promulgation is planned for late spring of 1984.

- o General Pretreatment Regulations (Removal Credits)

At the request of the President's Task Force on Regulatory Relief, and based on an Agency review of the Pretreatment Program, EPA proposed revisions to the removal credits portion of the pretreatment regulation to clarify the provision and provide municipalities added flexibility in pretreatment program implementation. Promulgation of the regulation is planned during the summer of 1984.

- o NPDES Regulations -- Reporting Requirements Revision (QNCR)

This regulation will revise program requirements for quarterly noncompliance reports on major discharges which are prepared by the EPA Regions and NPDES States. The proposal will establish a consistent basis for reporting and thereby produce a more accurate and meaningful assessment of permit noncompliance. The regulations will be proposed in May 1984, and promulgated by the end of the calendar year.

- o Volatile Organic Chemicals Regulation

EPA is considering several proposed approaches to reducing exposure to volatile organic chemicals (VOCs). VOCs are most frequently found in drinking water drawn from ground water. Compounds of concern include trichlorethylene, tetrachloroethylene, and vinyl chloride. A notice of proposed rulemaking containing recommended maximum contaminant levels is scheduled to be published this fall.

- o Fluoride Regulation

EPA is assessing the maximum contaminant level for fluoride to determine if it appropriately reflects potential health effects. EPA will publish a notice of proposed rulemaking and a recommended maximum contaminant level by the fall of 1984.

- o Drinking Water Standards Revision

The Office of Water will review the monitoring requirements and maximum contaminant levels for inorganic and organic compounds, microbiological contaminants and turbidity, and radionuclides in the National Interim Primary Drinking Water Regulations. Assessments of exposure, analytic methods, potential health effects, and the performance and costs of treatment technologies will be conducted. Recommended maximum contaminant levels will be promulgated in the fall.

- o Underground Injection Control Regulation .

By October, the Agency will have either approved a State program or promulgated a state-specific federal UIC program in all 57 States or jurisdictions. These programs are designed to prevent contamination of underground sources of drinking water through improper well injection. The regulations specifically ban any injection of hazardous waste into or above underground sources of drinking water.

- o Incineration-at-Sea Regulation

EPA will develop regulations containing performance criteria for destruction efficiency of hazardous wastes and other monitoring and operating requirements. The regulations will form a basis for consideration of permits for incineration-at-sea. Regulations will be proposed in August; final regulations will be promulgated in early 1985.

- o Minor Revisions of Ocean Dumping Regulation

Ocean dumping regulations which respond to the New York City

Court decision on ocean dumping of sewage sludge and other statutory changes will be prepared in draft form and circulated for interagency review in July.

- o Ocean Dumping Site Designations

EPA's final decisions approving the 106 mile dump site and the mud dump site and a proposal to deny approval of the 12 mile site in the New York Bight Apex were announced in April. Public hearings on the tentative denial of the 12 mile site are scheduled for June.

- o Ground Water Protection Strategy

The Agency Ground Water Protection Strategy will be published in mid-May. The strategy contains four key objectives: 1) assist States in development of ground-water programs; 2) assess the need to control unregulated sources of contamination, such as underground storage tanks and surface impoundments; 3) establish ground-water guidelines to provide increased consistency to EPA programs; and 4) establish an Office of Ground-Water Protection within the Office of Water, with counterpart offices in each region, to create an institutional focus for ground-water activities. States and interest groups reviewed and commented on the strategy.

- o Water Monitoring Strategy

The Office of Water will publish a final Water Monitoring Strategy in mid-June. The strategy will include sections addressing coastal and inland waters, ocean waters, and drinking waters. Central themes of the strategy are modernization of monitoring techniques and reporting methods. The Office of Water will also publish an issue paper concerning ground water monitoring in late May. The issue paper will be the basis for a more detailed ground-water monitoring strategy, to be published in the fall.

- o Sludge Policy

EPA will issue a Policy on Municipal Sludge Management in May. The policy will announce a new direction in EPA's regulatory program to provide for the beneficial uses of sludge while implementing new or revised technical controls on how use or disposal should be conducted. Regulations establishing the program are being drafted and will be subject to public discussion during the summer.

- o Construction Grant Guidance (CG-84)

The Office of Water will publish a major, comprehensive guidance document concerning management of grants for construction of municipal wastewater treatment facilities. The guidance will be published in July and will be distributed

widely to States, municipalities, and contractors.

- o Construction Grant Task Force -- Draft Report

The Office of Water has established an intergovernmental Task Force on the Federal Role in the Municipal Construction Grants Programs. The Task Force is studying the funding of municipal wastewater treatment works after the expiration of the authorization of the construction grants program in 1985. A draft report of the Task Force is to be completed in September; legislative proposals are to be developed by early 1985.

- o Nonpoint Source Task Force -- Policy and Report

The Agency has established an intergovernmental Task Force on Nonpoint Sources of pollution which will develop recommendations to the Administrator on Federal/State nonpoint policy and a Federal implementation strategy that addresses single agency and interagency issues and recommends management vehicles, e.g. legislation, interagency memoranda of understanding, etc. The Task Force will prepare a draft policy and supporting report by October.

- o PIRT Task Force -- Interim Report

The Pretreatment Implementation Task Force is chartered under the Federal Advisory Committee Act and is comprised of representatives from industry, municipalities, States, and environmental groups. The Administrator has asked the group to address technical concerns and implementation problems associated with the pretreatment program and present recommendations to address these concerns. An interim report is due in late May.

- o NPDES Regional Evaluations

During the spring and summer of 1984, the Office of Water Enforcement and Permits will be conducting an evaluation of regional offices' and approved States' progress in achieving NPDES program objectives. This evaluation will include an assessment of the use and quality of existing Enforcement Management System procedures in each Region.

- o National Statistical Assessment of Rural Water Conditions

This survey examines the quality of drinking water and characteristics of water supply systems for rural households. The study will be released this spring.

- o Drinking Water Additives Evaluation -- Federal Register Notice

The Office of Water published this spring a Federal Register Notice requesting comments on the design and operation of a private, nonprofit program for evaluation of additives to

drinking water. The independent additives evaluation process would replace an existing program within the Agency.

- o Establish an Office of Marine and Estuarine Protection

The Office of Water will establish an Office of Marine and Estuarine Protection (OMEP) in the summer of 1984. The OMEP will be responsible for development and implementation of policies and strategies and the implementation of a program to protect the marine and estuarine environments.

Office of Air and Radiation

- o Nonferrous Smelter Orders

Regulations will be promulgated in September 1984 that establish minimum required contents of primary nonferrous smelter orders (NSOs) issued under Section 119 of the Clean Air Act.

- o Issue Final Standards for Arsenic Emissions

After reviewing the results of an extensive effort to solicit public comment and involvement on the proposed standards, final standards for industrial sources of arsenic will be issued sometime in the fall of 1984. One set of standards will be applicable to high arsenic feedstock for copper smelters. The "low" arsenic standards will apply to industrial categories such as glass furnaces, and low arsenic copper smelters.

- o Issue Final Hazardous Air Pollution Standards for Benzene

The final standards controlling benzene emissions from equipment leaks and coke oven by-product processes will be issued this summer. In addition, proposed standards for maleic anhydride and ethylbenzene/styrene will be withdrawn.

- o Complete Listing Decisions for Six Potentially Hazardous Air Pollutants

During the next six months, determinations will be made on whether to list six chemicals as hazardous air pollutants. This means that health effects studies and exposure analyses will be completed and a final listing decision by the Administrator will be published in the Federal Register. The six chemicals that are under consideration are: toluene, POM, emissions from coke ovens, acrylonitrile, carbon tetrachloride, and manganese.

- o Proposed One and Promulgate Four National Emission Standards for Hazardous Air Pollutants (NESHAPs)

Before the end of fiscal year, final emission standards will be established for new and existing sources of hazardous air pollutants. These standards will limit the emissions of benzene, arsenic and radionuclides. In addition, a proposal will be made to establish standards for an additional benzene source category.

- o Propose Four and Promulgate Nine New Source Performance Standards Between Now and November 1984

These standards implement requirements of the Clean Air Act and are being established for all new major stationary source categories. Many of the standards promulgated or under development will limit emissions of particulates, volatile organic compounds, and nitrogen oxides.

The source categories for which standards are scheduled to be promulgated are petroleum dry cleaners, vinyl film, rubber tire manufacturers, and petroleum refinery equipment leaks.

- o Propose a Lead Control Plan for Shoshone County, Idaho

States must develop plans to meet National Ambient Air Quality Standards for lead. The plans must be developed in accordance with a schedule set by court order. Idaho did not submit a plan and, as a result, EPA must develop a federal plan. EPA will propose the plan in June 1984. The plan affects primarily the Bunker Hill Smelter in Shoshone County. The smelter is now shut down.

- o Solicit Public Comment on Alternatives for Control of Emissions From Gasoline Marketing

A staff-prepared analysis of alternatives for controlling the emissions of volatile organic compounds (VOC) that emanate from refueling cars and trucks at gasoline stations will be distributed to the public for their comments.

- o Prevention of Significant Deterioration
PSD Task Force

This effort, at the Administrator's request, will examine the PSD program from the ground up. It will assess the program in terms of its legislative objectives, how well they have been met, how appropriate they are and will offer policy recommendations.

- o Issue Final Standards for Four Source Categories of Radionuclide Emissions

Standards will be promulgated under Section 112 of the Clean Air Act to control emissions of radionuclides from uranium mines, elemental phosphorus plants, Department of Energy facilities, and activities operating under licenses granted by the Nuclear Regulatory Commission.

- o Issue Final Standards for Disposal of High Level Radioactive Waste

Standards will be promulgated under the Atomic Energy Act to regulate the disposal of transuranic and high level radioactive wastes. The standards include both numerical limitations and qualitative assurance requirements to provide confidence that the numerical standards are met. Implementation of the standards will be the responsibility of the Nuclear Regulatory Commission and the Department of Energy.

- o Propose Federal Guidance for Radiofrequency Radiation

Federal Guidance will be proposed to control the exposure of the public to nonionizing radiation in the radiofrequency radiation (10kHz to 100GHz) range. These will be the first Federal guidelines involving nonionizing radiation in the environment.

- o Issue Final Federal Guidance for Occupational Exposure

Under the Agency's Federal Guidance authority defined in the Atomic Energy Act, guidance will be issued to limit exposure to ionizing radiation in the workplace. Federal agencies with radiation-related responsibilities will incorporate this guidance in their operating requirements.

- o Inspection/Maintenance Actions

This summer, four more states will be starting I/M programs: Pennsylvania, Texas, Idaho, and Indiana. Within the next few months sanctions could be levied against Chicago and East St. Louis, Illinois; Detroit, Michigan; Nashville, Tennessee (already under construction ban); Albuquerque, New Mexico; and Medford, Oregon for failure to implement I/M. Some areas are seen to be making progress, however. In addition, Cincinnati and Cleveland are required to move forward with I/M, and could face sanctions if no progress is made (Kenton and Campbell Counties of Kentucky are already under sanction).

- o Heavy-Duty NOx/Particulate

Late this summer, regulations establishing NOx and particulate standards for trucks will be proposed. This will be the first real increment of NOx and particulate control from heavy-duty engines.

- o Lead Phasedown

Within the next two months, EPA will propose regulatory action on the phaseout of lead from gasoline. OPPE has already issued an analysis showing the benefits of removing lead from gasoline outweighing the costs, and because of misfueling the expected reduction of lead usage has not taken place. Drastically reducing lead usage in gasoline also has the benefit of reducing EDB use in gasoline.

- o CAFE Adjustment

This fall, finalized regulations to provide an adjustment factor to manufacturers in calculating corporate average fuel economy are expected. The factor is to account for test changes made since 1975, as required by the Motor Vehicle Information and Cost Savings Act.

- o Methanol

Continued work will take place on a proposed rule for certification of methanol vehicles, although the proposal itself will not be ready until early next year. Workshops will be held to discuss issues involved in testing neat-methanol-fueled vehicles.

- o Evaluation of Accelerated Acid Rain Research Program

The continued review of the accelerated acid rain research effort announced by the President in his State of the Union Message will be a primary focus of activities. The goal of this review is to make sure that this research effort appropriately addresses the questions most central to further policy development and evaluation. The result will be a more sharply focused 1985-1986 research program. Forthcoming also will be the 1985 assessment of the state of the science of acid rain.

- o Acid Rain Implementation Issues

An important element of the Administration's Acid Rain Policy is the exploration and analysis of implementation issues which would be associated with the operation of any acid rain control program, should one be adopted in the future. An acid rain implementation issues task force will be set up to carry out this portion of the Administration's program. The task force will help identify the critical implementation issues and prepare and evaluate options for addressing those issues.

By the end of September, a draft report will be prepared on the implementation issues including proposals for evaluating the various options for dealing with the issues. This report will recommend the analysis to be conducted in FY 1985.

- o Tampering/Misfueling

In summer 1984 an intensified anti-tampering and anti-misfueling campaign is expected. In particular, emphasis will be placed on greater public awareness campaigns, on getting retail stations to institute preventative actions, and on increasing the number of active state and local programs.

- o Recalls

One or two motor vehicle recalls can be anticipated within the next few months.

- o Petrocoal Waiver

Within the next few months, expected finalized action on the proposed revocation of the fuels waiver for petrocoal, a high-percentage methanol/gasoline blend. EPA proposed to revoke the waiver in March because of indications of significant emission problems with the blend.

Office of Solid Waste and Emergency Response

- o Published Final Reportable Quantity Regulations

Final rule specifying reporting requirements for spills of hazardous substances. CERCLA requires that persons in charge of vessels or facilities from which hazardous substances have been released in quantities equal to or greater than these reportable quantities must immediately notify the National Response Center. Rules should be published in final form in the Spring of 1984.

- o Update of National Priority List (NPL)

The NPL is a nationwide listing of the sites deemed to pose the greatest threats to public health and the environment. The next update will, for the first time, include Federal facilities.

- o Final Listing of Dioxin Wastes

The Agency is scheduled to publish a final listing of dioxin wastes as hazardous wastes for purposes of RCRA

regulation. In addition, the Agency will issue an expanded final report on alternative treatment for waste containing dioxin by September 30, 1984.

- o Final Authorization of State RCRA Programs

Nine States are targeted to receive final authorization of the hazardous waste programs by the end of Fiscal Year 1984. These States include Georgia, Mississippi, Colorado, Montana, North Dakota, South Dakota, Utah, Nevada, and Oregon.

- o Final Report on Hazardous Waste Management

EPA will issue a final report on findings from its regulatory impact analysis mail survey by May 1, 1984. The survey is designed to obtain accurate information on the types and quantities of regulated hazardous waste being generated and managed throughout the country.

- o RCRA Civil Penalty Policy

This policy defines the Agency's approach to assessing administrative penalties under RCRA. The purpose of the policy is to ensure that RCRA civil penalties are assessed in a fair and consistent manner; that penalties are appropriate for the gravity of the violation committed; that economic incentives for non-compliance with RCRA are eliminated; that persons are deterred from committing RCRA violations; and that compliance is achieved.

- o RCRA Compliance/Enforcement Manual

The purpose of the manual is to provide guidance to RCRA regulatory and compliance/enforcement personnel on the substantive and procedural requirements necessary for ensuring compliance with preparing enforcement cases under RCRA.

- o RCRA Ground Water Enforcement Guidance

This guidance will prepare the Regions and States to take enforcement actions at RCRA interim status land disposal facilities. It will contain two separate documents which correspond to two types of ground-water monitoring conducted at these facilities: detection monitoring guidance to be completed in June 1984, and assessment monitoring guidance to be completed in late summer 1984.

- o Cost Recovery

Complete implementation of Superfund Section 107 strategy, including: (1) providing documentation for all outstanding cost recovery cases to permit filing to the

Department of Justice and the courts; (2) reviewing, and as necessary, refining the Agency system for tracking and accounting for Superfund expenditures; and (3) developing and implementing policies to expedite cost recovery under Superfund.

Office of Pesticides and Toxic Substances:

o Decision on Test Rule for 1,1,1-trichloroethane (TCEA)

A final Section 4 test rule requiring manufacturers and processors of 1,1,1-trichloroethane to test for teratogenic effects will be issued in August 1984. This will be EPA's first final test rule to be promulgated under Section 4.

o General Exemption Policy for Test Rules

This regulation will establish policies and procedures that EPA will use to grant exemptions from testing under Section 4(c) of TSCA. Section 4(c) requires EPA to exempt applicants from testing if the chemical they manufacture or process is equivalent to one which is already being tested or if testing by applicants for exemptions would duplicate data already submitted to EPA. Final rule is expected in September of 1984.

o Regulatory Investigation of 1,3-butadiene

1,3-butadiene will be the subject of an Agency investigation to determine whether regulating under TSCA is warranted to control its use. 1,3-butadiene is an animal carcinogen and the investigation will assess the risk from exposure. This chemical is the subject of a 180-day priority review under Section 4(f) of TSCA. An ANPR is to be signed on May 7, 1984.

o Decision on Test Rules for Twelfth ITC Priority List

These Section 4 actions on the twelfth ITC list of chemicals will either require testing of specific chemicals, announce negotiated testing with industry, or provide adequate reasons for not requiring testing. The chemicals on this list include calcium naphthenate, cobalt naphthenate, lead naphthenate, methylolurea, and 2-phenoxyethanol. Proposed decisions are expected in May 1984.

- o PCB Transformers in Buildings

A Section 6 proposed rule is expected in October 1984, which would seek to reduce the risk from future fires in PCB transformers located in buildings. This regulation would prevent environmental contamination by toxic chemicals that are created in transformer fires.

- o PCBs: Exemptions from the Ban in Manufacturing, Processing and Distribution

EPA will promulgate a final Section 6 rule to respond to 120 or so pending petitions for exemption from the ban on manufacture, processing and distribution in commerce of polychlorinated biphenyls (PCBs). Section 6(e)(3)(B) of the Toxic Substances Control Act (TSCA) allows the Administrator to grant exemptions from these prohibitions for not more than one year. A final rule is expected in July 1984.

- o PCBs Use in Microscopy and Research and Development (Revision)

EPA is proposing to amend the May 31, 1979, PCB rule by: (1) authorizing indefinitely the use of PCBs as a mounting medium in art and historic conservation and (2) authorizing indefinitely the use of small quantities of PCBs for use in research and development. EPA has determined that these uses of PCBs do not pose unreasonable risks to public health or the environment. A final Section 6 rule is expected in June 1984.

- o Inadvertent generation of PCBs (Revision)

In response to a decision by the D.C. Circuit Court, EPA will issue a final rule addressing the incidental uses of PCBs. A proposed Section 6 rule is expected in July 1984 which will encompass control of waste stream products and air and water releases with measurable quantities of PCBs.

- o Chlorinated Naphthalene, Submission of Notice of Manufacture or Importation - Final Rule

This Section 8(a) rule will require that EPA be notified of any manufacture or importation of chlorinated naphthalenes, a category of chemicals recommended for testing by the Inter-agency Testing Committee. Small businesses are exempt from this reporting requirement. The purpose of this reporting requirement is to alert the Agency when the chemical will be manufactured in or imported into the United States and to ensure that EPA has the opportunity to investigate the health and environmental impacts of such activity. A final rule is expected in August 1984.

o Implementation of Section 5(b)(4) List

Section 5(b)(4) of TSCA allows the Administrator to compile and keep current a list of chemical substances which in any phase (manufacture, use, etc.) present an unreasonable risk to health or environment. OTS has identified a number of categories of chemicals for consideration for listing under Section 5(b)(4). An ANPR is expected in September 1984.

The following OTS actions apply to chemicals whose exposure most frequently occur in the workplace. As a result, the ultimate responsibility for issuing regulations in these areas may fall to OSHA. In the course of the investigation, we will determine whether TSCA, OSHA, or a combination of both, provides the most appropriate authority to control exposures. A policy decision is expected within the next month.

o Proposed Rulemaking - 4, 4'-Methylenedianiline (MDA)

The purpose of this action is to develop a proposed Section 6 rule to control unreasonable risks posed by 4,4'-Methylenedianiline. A recent study has shown MDA to be strongly oncogenic, and there is evidence of potential respiratory and dermal exposure risk. The proposed rule is expected to be issued in October 1984.

o Proposed Rulemaking on Methylene Bis(2-Chloroaniline) (MBOCA)

The Agency is developing a proposed Section 6 rule to control unreasonable risks posed by the use of methylene bis(2-chloroaniline) (MBOCA). MBOCA is a curing agent used in the manufacture of polyurethane elastomers and surface coatings, and has been shown to cause cancer in laboratory animals. A proposed rule is expected to be issued in October.

o Section 4(f) Criteria

EPA plans to issue a policy notice in the Federal Register in July regarding the criteria to be used in the designation of chemicals under Section 4(f). Section 4(f) calls for EPA to initiate action within 180 days after receiving test data or other information which indicate that a chemical substance or mixture presents or will present a significant risk of cancer, gene mutation, or birth defects.

o Biotechnology Federal Register Notice

OTS is planning to issue a Federal Register notice in September, that will present the proposed policy on TSCA applicability to biotechnology. Since biotechnology is a new developing area accompanied by considerable industry and trade organization interest, the necessity for establishment

of such a policy is great.

- o Leaking Underground Storage Tanks (LUST) - Chemical Advisory and ANPR

Recent discoveries of groundwater contamination caused by gasoline and gasoline components near gasoline service stations and other facilities have prompted scattered investigations into the integrity of existing underground storage tanks and pipelines. By July 1984, EPA will issue a chemical advisory on underground storage tanks that will alert all tank owners and operators to the problem of groundwater contamination caused in part by motor fuels, advise of their potential liability concerning leaking underground storage tanks (LUST). An ANPR is expected in September 1984, announcing our intent to begin rulemaking to require tank owners and operators to monitor and inspect tanks and report leaks to EPA.

- o Formaldehyde

EPA is currently in the process of reviewing public comments regarding its November 18, 1983, Federal Register notice in which it rescinded its February 1982, decision not to apply Section 4(f) to formaldehyde. OTS is preparing to issue a Section 4(f) decision by May 18, 1984. Additional action will be taken by EPA on formaldehyde no later than July 9, 1984.

- o Rules Restricting the Commercial and Industrial Use of Asbestos Fibers

The Agency is evaluating methods for controlling risks of the commercial and industrial use of asbestos. The Agency plans to propose Section 6 regulations which will bar several asbestos products and phasedown use of asbestos over a period of several years. EPA will coordinate its asbestos activities with other agencies through the Federal Asbestos Task Force. The proposed asbestos product ban is scheduled for July 1984, and the phasedown rule is scheduled for October 1984.

- o Pesticide Registration Data Requirements, Part 158

EPA will publish a final rule this summer specifying the kinds of data and information that must be submitted to the Agency to support the registration of each pesticide under FIFRA. Part 158 will provide pesticides registrants with explicit instructions concerning data requirements and therefore will facilitate more efficient pesticide development and registration.

- o Labelling Regulations

EPA will propose new regulations this summer revising the Agency's requirements for the warning and cautions that must appear on pesticide labels in order to protect users from accidental injury, to ensure that pesticides will not present unreasonable risks to other persons and non-target organisms in general, and to help prevent the contamination of environmental resources such as groundwater.

- o ANPRM on Farmworker Protection

The Agency will publish in early summer an Advance Notice of Proposed Rulemaking to better protect farmworkers, who by reason of their work location are highly susceptible to exposure to pesticide chemicals. The proposed rules will help ensure that such exposures are prevented to the maximum extent possible.

- o Increase in Tolerance Fees

New EPA regulations will be proposed to raise the fees that must be paid by petitioners for the establishment of pesticide tolerances, which are the maximum legal pesticide residues permitted to occur on food or feed marketed in the U.S. Petitions for the establishment of tolerances must be submitted along with all applications for the registration of the use of a pesticide on a food or feed crop. The additional funds will help offset EPA's costs of organizing and evaluating the scientific data used to set tolerance levels.

- o Fees Imposed on Registration Applications

Regulations will be proposed by EPA next winter to set fees for the processing of registration applications. Under the pesticide statute, all pesticide products must be registered on the basis of an Agency review of extensive and complex scientific data, conducted to ensure that the products use will not cause unreasonable adverse effects. These fees will help place the financial burden for this process on the persons who stand to gain in the pesticide's marketing.

- o Data Compensation Rules

EPA will propose rules to clarify how and whether companies may rely on data generated by other companies in supporting their applications for pesticide registrations. The Agency intended that companies would generally be able to use others' data if they offered fair compensation, but a recent court ruling has barred EPA from using any company's data

without their express permission. These rules will help the industry sort out equitable compensation for the use of data.

- o Progress in Re-registration

The Agency's Registration Standards and Data Call-In programs, designed to accomplish the re-registration of old pesticides in order to bring their data bases up to speed with current requirements, will make considerable progress in the next six months. Registration Standards to be completed in the period will total 14 (bringing the total to 86), and approximately 35 Data Call-In letters will be issued to give advance notice that data will be needed for upcoming Standards.

- o Special Reviews to Begin

During the next six months, EPA will probably issue separate notices initiating Special Risk/Benefit Reviews for six chemicals suspected of causing unreasonable adverse effects. These notices will describe the data presently available to the Agency on the chemicals' suspected risks, and will solicit comments on the risk data, as well as benefits information, from the public.

- o Wood Preservatives Special Review to Conclude

The Agency will complete, probably in June 1984, its analysis of the risk and benefits of the major wood preservative chemicals: coal tar and creosote, which are suspected of being oncogenic and mutagenic; pentachlorophenol, which may cause birth defects and fetal injury; and the inorganic arsenicals, which are suspected of oncogenicity, mutagenicity, reproductive and fetotoxic effects, delayed neurotoxicity, and being hazardous to wildlife. These chemicals are very widely used in all parts of the country to protect wood and lumber from damage by microorganisms.

Office of the Inspector General

- o Combatting Fraud, Waste and Mismanagement

The Agency's newly established Committee on Fraud, Waste, and Mismanagement under the leadership of the Inspector General will hold its first meeting in May and will establish an agenda for future actions. The OIG will assist Agency managers in carrying out their responsibilities under the use of the Federal Managers Financial Integrity Act to ensure that

adequate internal controls are established and operate effectively in each program area. Emphasis will be placed on internal and management audits of critical areas and the reduction of backlog of construction grant audits. Investigative efforts will be expanded into areas of bid-rigging in the wastewater treatment program and fraudulent claims submitted under sewer rehabilitation contracts. Significant convictions have been made in these areas during the past years.

Office of Enforcement and Compliance Monitoring

- o Improving SPMS Commitments for Compliance and Enforcement

By October, we expect to have firm, well-planned commitments from Headquarters and Regional Offices on compliance and enforcement efforts for FY-85. We expect to refine the SPMS measures we are using to focus more on results (compliance levels, significant violators returned to compliance) than on activity levels. We will continue to track some activity counts (particularly numbers of judicial referrals) to make sure those numbers remain at levels necessary to maintain a credible enforcement program.

- o Integrating State Compliance Enforcement Efforts into our National Programs

On April 18 our office chaired the first meeting of a steering committee on federal/state relationships in enforcement. The committee is comprised of representatives from Headquarters, Regional and state offices. The committee will help guide Headquarters offices in developing by June 30 program-specific guidance on how EPA/state agreements covering FY-85 should address enforcement matters.

- o Implementing National Compliance/Enforcement Strategies

We will be working with the national program offices to implement specific, high-priority areas identified in

the program-specific strategies developed last fall by the Compliance/Enforcement Strategy Task Group. Examples include: developing an enforcement strategy for pretreatment requirements under the Clean Water Act, conducting priority litigation to establish an important legal precedence under CERCLA, and supporting enforcement actions for asbestos in school violations.

- o Improving EPA's Use of Civil Penalties to Deter Non-compliance

As a follow-up to the uniform EPA civil penalty policy which we issued in February, my office has obtained commitments from the EPA program office to revise or refine program-specific policies as appropriate by October. OPPE also will begin consideration of performance measures EPA could apply through SPMS to ensure EPA's assessing appropriate penalties which, for example, are at least as large as any significant economic benefit occurring as a result of the violation.

- o Piloting New Approaches to Enforcement

As follow-through on our 1983 proposal, we will begin implementing a pilot program which focuses enforcement, coordinated across all media, on a specific geographic region, with the hopes of obtaining clear identifiable environmental results. We expect to initiate such an effort in conjunction with the Office of Water and Region III as part of the Chesapeake Bay program. As another example, by July we expect to analyze how our present pilot program on direct referrals on enforcement cases to the Department of Justice is working, and to develop some recommendations regarding how that program might be continued or expanded.

Office of Policy, Planning, and Evaluation

- o Long Run Statutory Review

One of the major initiatives is to commission a long run review of EPA's enabling statutes to identify problems of inconsistency, inefficiency, ineffectiveness and rigidity. This review narrowed its focus to five areas where it appeared that by careful fact-finding and analytic work we might lay the groundwork for meaningful reform. By the end of the year, we will have the results of our work on the new source bias, citizen suits, cross-media effects, risk management information, and integrated enforcement projects, and will present recommendations to the Administrator, where appropriate, for statutory or administrative change.

- o Completion of Pulp and Paper and Petroleum Refining Studies

These two integrated industry studies will be finished in May. The pulp and paper study will analyze cost effective controls in two U.S. areas, the Pacific Northwest and the

middle South. It will also be the first major test of our ecological scoring model, whose purpose is to incorporate ecological values, in quantitative terms, into the regulatory decision process. The petroleum refining study analyzes cost effectiveness of controls on the West Coast.

- o Characterization of Air Toxics Exposures Nationwide

Using the data base and air modelling approaches developed for the geographic methodology, we are conducting a study for the Office of Air Quality Planning and Standards (OAQPS) on pollution exposure to priority air toxic pollutants nationwide. This will be completed by the end of May.

- o Sludge/Pretreatment

This project is building an integrated model of municipal POTW's that will evaluate the cost and impacts of sludge disposal. The first version of the model will consider sludge quality, cost of disposal options, and health and ecological impacts of disposed sludge under typical environmental conditions. An initial analysis of national level impacts of potential sludge regulations will be completed by June.

- o Lead in Gasoline

In March, OPPE released a major draft report, "Costs and Benefits of Reducing Lead in Gasoline." The analysis in this report is expected to provide the major basis for rule-making on the lead content of gasoline. OPPE staff in the Economic Analysis Division are now analyzing the impacts of regulatory options and, if a regulation is proposed, will be responsible for the regulatory impact analysis and other supporting documents. Separately, OPPE is also conducting original analysis of the health effects of lead that are being considered for inclusion in the criteria document for the lead ambient standard.

- o Benefits of New Source Performance Standards (NSPS)

The Benefits Branch is now developing estimates of the benefits per ton of controlling volatile organic compounds and nitrogen oxides. These estimates are designed to aid senior Agency officials in reaching decisions about NSPS regulations by placing the cost effectiveness estimates in perspective. In a related action, the Office of Air Quality Planning and Standards (OAQPS) is preparing benefits estimates for control of NSPS controlling particulate matter. Estimates for the three pollutants will help determine where control efforts can best be allocated to achieve health and other environmental goals.

- o Forest Industry Conference on CO₂

The strategic studies staff has been analyzing the potential effect of long-term climate changes due to rising concentrations of CO₂. The major thrust of that analysis has been the advantages of adaptive planning. The staff has worked with many private and public agencies on this issue, including the National Forest Products Association, the Society of American Foresters, and the Conservation Foundation. In June, these organizations will hold a conference on "Rising CO₂ and Changing Climate: Forest Risks and Opportunities," which will bring together scientists and decision-makers from both private and public sectors.

- o Water Quality Impacts and Benefits of POTW Funding

As part of a major study of funding alternatives for reauthorization of the construction program, the Office of Policy Analysis is analyzing water quality impacts and the benefits associated with Federal funding of sewage treatment facilities.

- o LUST: The Economics of Gasoline Storage Tank Early Replacement

Groundwater protection is an emerging priority, and the Agency is publicly committed to consider regulations to control contamination from leaking underground storage tanks (LUST). The principal focus of LUST are tanks used to store gasoline at filling stations. Therefore, the cost of potential regulations demand a stricter quality control and replacement schedules for such tanks is of central concern to the Agency. This study will identify significant factors and estimate the costs that determine private tank replacement decisions (i.e., owners replacing tanks before their absolute useful life is reached). We are investigating the probability distributions over time of voluntary tank replacement and of tank failure in order to determine the extent to which tank owners may be self-regulating. This study will determine the net cost (and impacts) of potential regulatory policies that would require tank replacement prior to the expected voluntary date.

- o Waste End Tax Proposal

EPA is developing and analyzing the feasibility of an incentives-based tax on hazardous waste disposal to cause firms to seek better methods of waste management. This tax could supplement the current Superfund feedstock tax and would promote the general public desire to reduce unsafe disposal of hazardous wastes.

- o Incineration Study

This study is a comparative analysis of land-based and ocean incineration of liquid hazardous waste. The purpose of the study is to pull together existing analysis and conduct

additional analysis to provide a baseline document to support EPA regulatory decisions on liquid hazardous waste. The study includes an analysis of the liquid hazardous waste market and a comparison of capabilities of the two technologies, the regulatory requirements on them, their risks and public acceptance of them. It also includes a review of emerging technologies which might compete with incineration. The study represents the first Agency-wide attempt to compare two hazardous waste disposal techniques.

- o Final Emissions Trading Policy

Emissions trading--bubbles, offsets, netting, and banking--lets managers substitute inexpensive emission reductions for costly required ones, so long as equal air quality is obtained. EPA authorized trading in a 1982 interim policy that has produced nearly \$1 billion in savings through bubbles alone, and was projected by GAO to make possible savings in the billions per year upon full implementation. The final policy should resolve major issues raised by expiration of the Clean Air Act's 1982 deadlines for attainment, provide greater certainty to stages and sources, and expand use of trades to meet environmental goals.

- o NSPS Compliance Bubbles

This reform will extend bubble flexibility to new sources by allowing two or more facilities to meet an NSPS in the aggregate instead of through point-by-point compliance with uniform requirements. This year EPA expects to approve the first ever compliance bubble, allowing two large two new large utility boilers to meet requirements of 0.6 and 1.8 pounds of SO₂/mm BTU instead of a uniform 1.2 pound requirement. The bubble will save \$20 million per year, produce greater reductions in the traditional NSPS and create several hundred local mining jobs in southern Illinois. The Agency also expects to allow case-by-case applications for similar bubbles under other NSPS, starting with the final NSPS for rubber tire manufacturers scheduled for issuance this summer.

- o Water Innovations Project

This OW/OPPE project has been analyzing the economic, water quality and enforcement effects of making 7 more cost-effective types of NPDES permits generally available to meet water quality standards, where BAT or other technology-based controls are insufficient.

- o Environmental Auditing

Environmental Auditing reviews private sector systems to find and promptly correct potential problems through procedures to monitor and verify plant level compliance over time with environmental laws, regulations and company policies.

This year, EPA's Office of Policy and Office of Enforcement and Compliance Monitoring expect to issue a policy statement detailing the environmental benefits of EA, addressing its use in compliance strategies and consent decrees, and removing disincentives to broader adoption of EA by Federal facilities and small businesses as well as large firms.

Office of External Affairs

o Environmental Education and Community Involvement

The Office of Public Affairs plans to undertake a series of activities aimed at fostering environmental education and community involvement on a nationwide scale. These include finalization of the "Blueprint" for an agency-wide Community Involvement Program (May); in-house training for technical field personnel on interacting with the press and public (first course in Region II in May); and establishment of a Clearinghouse to initiate and facilitate information exchange with Regional offices (beginning in May). A multi-purpose mobile exhibit unit and slide show will also be developed (October). In addition, various new publications will be developed--within certain OMB constraints--to supplement the educational purposes of the regularly published Management Memo, EPA Times, and EPA Journal.

o Risk Communication

The Office of External Affairs, in cooperation with other EPA offices, plans a program of communications with the press and public that focuses on risk-related issues. Present plans call for a number of activities, including cooperating with OPPE in managing a risk assessment/risk management seminar in July for the press corps and assisting in planning a larger agency-sponsored risk assessment conference in September.

o Wetlands Protection

The Office of Federal Activities will continue to work with the Corps of Engineers to coordinate the management of the \$404 program. Efforts will be made to develop a joint definition of "fill material" for \$404 purposes, to develop a coordinated approach to bottomland hardwoods, and, more generally, to implement the Administrator's priority of wetlands protection.

o State Assumption of \$404 Program

The proposed State Dredge and Fill Permit Program Assumption

Regulations will be published in June. This revised regulation will simplify the procedural requirements States must meet to assume the dredge and fill program. The state of Michigan has already submitted its application to take on the program; if approved, Michigan will be the first state to assume the program when this occurs in August.

- o Federal Agency Liaison

The Office of External Affairs will continue to work to enhance and expand Federal agency liaison. For example, in conjunction with the Office of Solid Waste and Emergency Response, OEA will be meeting with key agencies to discuss their hazardous waste responsibilities in an effort to improve Federal facilities compliance with those responsibilities.

- o Communication Strategies

In May, the Office of External Affairs will issue guidance to each Assistant Administrator and Regional Administrator for developing comprehensive communication strategy plans for every major agency action. The process will be explained and roles and responsibilities identified. Additional guidance will be given to plan coordinators that will stress the need for thoughtful development of a plan, proper execution of it, and the need for feedback from and follow-up with interested constituencies.

- o Indian Policy

This Policy will provide direction to Agency managers for extending the coverage of our delegable programs to American Indian Reservations. It will involve Tribal Governments in EPA programs that are capable of being adapted to function effectively in the unique legal and political context of Indian Reservations.

- o Chesapeake Bay Project

The Office of Intergovernmental Liaison is coordinating the State and local community relations aspects of the Chesapeake Bay clean-up efforts. The timeframe for this project spans years. The next six months will focus on establishing, in concert with State and community groups, a mutually agreed-upon workplan that will include objectives, benchmarks, and community-level activities that will pay off in a real clean-up effort.

Office of International Activities

o International Actions to Protect the Atmosphere

The Administrator will lead the U.S. delegation to the ministerial-level Multilateral Conference on the Causes and Prevention of Damage to Forests and Water Through Air Pollution in Europe which will be held in Munich, June 24-27.

o International Approaches to Managing Hazardous Waste

EPA will participate in (a) developing guidelines on safe and effective transboundary movement of hazardous wastes within the framework of the United Nations Environment Program during the summer and fall, and (b) establishing means for implementing the guidelines on tracing and regulating the transboundary movement of hazardous wastes within the Organization for Economic Cooperation and Development (OECD) in the spring and fall.

o International Measures to Relate Industry/Economics and the Environment

The Administrator will lead the U.S. delegation to the Conference on Environment and Economics sponsored by the OECD in Paris, June 18-21. The Conference will seek to outline new emphases and directions member countries should take in the economic environmental field.

The Administrator will head the U.S. participation in the World Industry Conference on Environmental Management in Paris in November. The conference will shape a broad agenda for industry-government cooperation.

o Expanded Cooperation with Other Countries

EPA will maintain the momentum of expanded cooperation with the People's Republic of China under the U.S.-P.R.C. Environmental protection protocol with a meeting of the Joint Working Group in Beijing in November.

The Administrator plans to sign a Memorandum of Understanding for formalizing expanded cooperation with France in mid-June in Paris.

EPA will continue its leadership responsibility through regular contacts (a) under the U.S.-Mexico Border Environmental Agreement, including water sanitation problems in Tijuana/San Diego and Mexicali/Calexico, and (b) the Great Lakes Water Quality and other bilateral arrangements with Canada.

MAJOR NATIONAL EPA ACTIONS AND DECISIONS

May 1983 - March 1984

MAY 1983

May 18, 1983	Ruckelshaus confirmed as fifth Administrator
May 18, 1983	Single largest Clean Water Act pulp and paper fine to date; Crown Simpson agrees to pay \$750,000
May 18, 1983	Settlement of case against Olin Chemical Corporation entered in the Northern District of Alabama. Olin agreed to a \$24 million clean up of its DDT contaminated site and established a \$5 million primary health care program for local residents
May 19, 1983	Ruckelshaus takes steps to improve flow of Agency information: operate in a "fishbowl"
May 23, 1983	After a hearing on the Government's motion to enforce a 1981 Clean Air Act consent decree applicable to National Steel Corporation's Great Lakes Steel Division, the U.S. District Court orders the company to comply with the decree and assesses stipulated penalties of \$2,547,500 for past violations and continuing daily penalties until compliance is achieved--estimated at an additional \$3.5 million
May 26, 1983	First limited production of shale oil approved under TSCA
May 31, 1983	Adjustment in fuel economy figures to narrow gap between estimated and actual mileage proposed
May 1983	"Guidance for Controlling Friable Asbestos-Containing Materials in Buildings" published

May 1983 Community relations policy for Superfund activities, recognizing the role of citizens in affected communities, issued

May 1983 Final rule establishing premanufacturing notification procedures and reporting requirements for new chemicals published

May 1983 ANPR announces regulatory investigation of methylene bis (2-chloroaniline) (MBOCA)

JUNE 1983

June 1, 1983 \$100,000 grant awarded to Association of State Territorial and Solid Waste Management officials to develop States' ability to management the procurement and funding aspects of cleanup of Superfund sites

June 8, 1983 Fuel switching penalties totalling \$5,925,000 against three companies proposed

June 13, 1983 President forwards Administrator's increased budget request for additional 1984 resources to Congress; 1,100 workyears and \$265 million above original 1984 budget request

June 14, 1983 Administrator testifies on continuation of Clean Water Act before Senate Environment and Public Works Subcommittee

June 20, 1983 Ten Task Forces established:

- Analytic Resources
- Acid Rain Strategy
- Compliance Strategy
- Groundwater Operations Strategy
- Toxics Integration
- Dioxins
- Federal/State Partnership
- Delegation of Internal Decision-making
- Headquarters/Regional Relationships
- Budget/Personnel Systems

June 22, 1983	Ruckelshaus calls for Government-wide process for improving assessment and management of risk; Administrator's speech before National Academy of Sciences
June 23, 1983	Policy on air sanctions announced
June 28, 1983	EPA issues enforcement guidance for the National Emission Standard for Vinyl Chloride, a hazardous air pollutant
June 29, 1983	Crop Grouping Pesticide Tolerance final rule published
June 29, 1983	Administrator testifies on Groundwater Policy Issues and RCRA Compliance before the House Government Operations Subcommittee on Environment, Energy, and Natural Resources
June 29, 1983	Final reimbursement policy for chemical testing
June 27, 1983	Ferriamicide use on fire ants denied

JULY 1983

July 1, 1983	Sixth Circuit Court upholds EPA position on "interstate transport" of air pollution
July 6, 1983	Mobil Oil settles with EPA for \$100,000 in fuel violations. EPA found lead contamination levels in unleaded fuel exceeded amounts allowed under Clean Air Act
July 11, 1983	Report released on Industrial Bio-Test (IBT) lab studies; warns of suspension action against pesticide registrants whose products are supported by IBT invalid health data
July 11, 1983	Three Federal agencies establish Task Force on Asbestos: EPA, CPSC, and OSHA

July 12, 1983	Congress approves EPA's 1984 Appropriations Bill, including Administrator's full request
July 13, 1983	NSPS proposal for asbestos revision - work practices
July 15, 1983	U.S. amends existing Clean Air Act consent decree applicable to Wheeling-Pittsburgh Steel Corporation reflecting extensions of compliance and corresponding commitments for plant modernization under the Steel Industry Compliance Extension Act. The amendment affected 10 steel-making facilities and required the expenditure of \$23.170 million
July 15, 1983	Metal finishing/electroplating effluent guideline promulgated
July 20, 1983	Ruckelshaus meets with National Academy of Sciences Roundtable on acid rain
July 20, 1983	NESHAP for inorganic arsenic proposed
July 21, 1983	Eleven States needing auto emissions program named
July 21, 1983	Suit settled at Taylor Road Landfill in Florida for \$2 million to prevent further groundwater contamination; settlement is largest to date with a municipality on the cleanup of a public landfill
July 26, 1983	Conditional Pesticide Registration final rule published
July 27, 1983	California plan for Stringfellow cleanup approved
July 29, 1983	First pre-manufacture notification enforcement actions taken by EPA pursuant to §5(a) and §15 of TSCA are settled. El Paso Products, Chemical Dynamics, and Albany International agree to pay \$139,000 in settlement, to develop a corporate model management to develop for the chemical industry a presentation outlining industry's obligations to comply with the requirements of TSCA

AUGUST 1983

August 3, 1983	Mobil Oil settles with EPA for \$620,000 for 62 days of violation of the Clean Water Act. Mobil had drilled exploratory and gas wells off the Alaskan coast without a permit
August 12, 1983	Agreement clarifying responsibilities between EPA and the Department of Defense for cleanup of releases of hazardous substances from DOD facilities signed by EPA and DOD under Superfund
August 14, 1983	Negotiation and signing by Presidents Reagan and de la Madrid of Agreement on Border Environmental Cooperation, appointment of the EPA as U.S. coordinator for the Agreement and initiation of implementation discussions on the border
August 15, 1983	Copper forming effluent guideline promulgated
August 17, 1983	NSPS proposals for electric arc furnaces - steel revision
August 17, 1983	CEQ creates panel to review acid rain research
August 18, 1983	NSPS promulgation for bulk gasoline terminals
August 19, 1983	Seventh Circuit Court upholds EPA position on "interstate transport" of pollutants
August 22, 1983	Chemical manufacturers to hold records of allegations that their products harmed human health for 30 years. Requirement under TSCA Section 8(c) published; effective November 2, 1983
August 23, 1983	Reorganization plan creating two additional Assistant Administrators passed by Congress
August 25, 1983	National Academy of Public Administration study of ways to increase EPA personnel and budgetary efficiency initiated

August 25, 1983	NSPS for beverage cans promulgated
August 25, 1983	Amendment proposed to revise authorization of State Hazardous Waste Programs requiring that: (1) States do not have to revise applications to incorporate Federal regulatory changes while being processed, and (2) authorized States have one year from effective date of amended Federal regulations to make revisions in their own programs
August 26, 1983	D.C. Circuit Court orders EPA to treat surface mines as "major sources" of air pollution under the Clean Air Act
August 31, 1983	NSPS for nonmetallic minerals proposed
August 31, 1983	Mosquito use of pesticide EPN cancelled; other uses of EPN restricted

SEPTEMBER 1983

September 1, 1983	Land disposal treatment alternatives programs initiated to identify and evaluate alternative methods for handling wastes banned from land disposal
September 6, 1983	Louisiana-Pacific agrees to pay \$750,000 fine for Clean Water Act violations involving pulp and paper industrial facility
September 8, 1983	Final NPL, containing 406 sites, issued; 133 additional sites proposed to be added to this initial listing
September 9, 1983	To facilitate the RCRA permitting process, the Agency issued guidance on appropriate enforcement actions against owners/operators of TSD facilities who submit late and/or incomplete permit applications
September 16, 1983	Office of Enforcement and Compliance Monitoring established

September 16, 1983	Office of External Affairs established
September 20, 1983	Advance Notice of Proposed Rulemaking concerning risks posed by exposure to MDA (4,4-methylenedianiline) published
September 21, 1983	Settlement with 246 companies to clean up Enviro-Chem site in Indiana; largest number of companies ever to agree to such a settlement
September 26, 1983	Chesapeake Bay Study with proposals on how to address the Bay's problems completed
September 29, 1983	Intentions for responding to problem of PCB's in the Hudson River stated
September 30, 1983	Immediate emergency suspension of EDB pesticide as a soil fumigant for agricultural crops ordered; notice of intent to cancel all major uses issued
September 30, 1983	Standards issued for radiation from active uranium mills and to require safe long-term disposal of uranium mill tailings
September 30, 1983	Restrictions announced on use of strychnine for animal control
September 30, 1983	Cancel use of lindane in indoor smoke fumigation devices and for dog dips to control pests other than mites; prohibit aerial and aquatic application for other uses

OCTOBER 1983

October 1, 1983	Strategic Planning and Management System implementation initiated
October 4 & 14, 1983	D.C. Circuit Court largely upholds EPA regulations on motor vehicle tests and warranties under the Clean Air Act

October 5, 1983	Revision of drinking water standards initiated; advance notice of proposed rulemaking; second phase of revised regulations that will become the permanent drinking water standards for all public water systems
October 6, 1983	Administrator testifies on proposed Standards on Radon Releases and Section 112 of the Clean Air Act before the House Armed Services Subcommittee on Nuclear Systems
October 7, 1983	Action Tracking System initiated
October 7, 1983	Union Carbide settles with EPA for \$30,000 in a landmark vinyl chloride enforcement action under the Clean Water Act
October 11, 1983	D.C. Circuit Court remands for revision "stack height" regulations under the Clean Air Act
October 14, 1983	Dow Chemical Company withdraws its objection to EPA's proposed cancellation of 2,4,5-T and silvex products; Agency issues notice of intent to cancel all remaining, non-suspended registrations
October 16, 1983	Agreement signed by Ruckelshaus extending cooperative efforts to deal with phosphorus pollution in the Great Lakes with Secretary of State George Shultz, Canadian Minister of External Affairs Allan J. MacEachan, and Environment Minister Charles Caccia
October 18, 1983	NSPS for pressure sensitive tapes and labels promulgated
October 18, 1983	NSPS for Synthetic Organic Chemical Manufacturing Industry equipment leaks (fugitives) promulgated
October 20, 1983	GM Recall of 112,000 1979 Chevettes exceeding CO emission standards ordered

October 20, 1983	Formal policy on Clean Air Act sanctions issued; how and when economic sanctions might be applied to area's not meeting air quality standards
October 21, 1983	NSPS for fossil fuel fired steam generators proposed
October 21, 1983	Special permits for incineration at sea proposed
October 21, 1983	NSPS for Synthetic Organic Chemical Manufacturing Industry air oxidation proposed
October 21, 1983	Proposed rule for PCB manufacturing, processing, and distribution exemptions approved
October 24, 1983	\$250,000 research contracts awarded to small firms; Small Business Innovative Research Program (SBIR)
October 24, 1983	Aluminum forming effluent guideline promulgated
October 25, 1983	Inorganic chemicals (Phase II) effluent guideline proposed
October 25, 1983	Standards set for heavy duty trucks that will reduce tailpipe emissions of hydrocarbons and carbon monoxide by up to 90 percent
October 27, 1983	Pharmaceuticals effluent guideline promulgated
October 28, 1983	EPA issues guidance to develop lists of and track actions against significant violators
October 29, 1983	EPA and Department of Justice agree to direct referral of certain categories of civil judicial referrals from EPA Regional Office to Department of Justice
October 31, 1983	Decision permits EPA to consider limited use of 1080 (sodium fluoroacetate) to control predators
October 1983	Proposed rule for restricted use classification of fumigants published

NOVEMBER 1983

November 2, 1983	Administrator testifies on Implementation of Pesticide Regulations before House Agriculture Subcommittee on Departmental Operations, Research and Foreign Agriculture
November 2, 1983	NSPS for glass revision proposed
November 4, 1983	Construction ban lifted on most of California; ban remains in Fresno
November 7, 1983	Administrator testifies on continuation of Program to Improve EPA's Implementation of Section 112 of the Clean Air Act before the House Energy and Commerce Subcommittee
November 8, 1983	Risk/benefit report issued on termite pesticide for public comment
November 8, 1983	Revised rules issued governing water quality standards that will strengthen the protection of streams, rivers, and lakes. The standards, established by the States and approved by EPA, set water quality goals for specific bodies of water
November 14, 1983	Over 150 removals under Superfund completed
November 15, 1983	Administrator testifies on continuation of Clean Water Act Reauthorization before House Public Works and Transportation Committee
November 16, 1983	Administrator keynotes U.S.-Canada International Joint Commission Meeting
November 16, 1983	New rules proposed for secondary treatment of wastewater that will make it easier for smaller communities to meet CWA requirements while assuring that water quality will not be adversely affected
November 17, 1983	Previous decision on formaldehyde rescinded; Agency to reassess status under TSCA (public comments sought)

November 17, 1983	Can making effluent guidelines promulgated
November 22, 1983	Clean up of PCB's at Neal's Landfill and Neal's Dump in Indiana to be initiated by Westinghouse
November 23, 1983	Philadelphia cited for Clean Air Act violations involving tampering with emission control devices on 131 city police vehicles
November 23, 1983	Fuel switching violation notice issued to Greenville County, South Carolina
November 27 - December 12, 1983	Face-to-face policy level contacts restored with the Chinese environmental officials and major visit to the United States by Chinese experts sponsored by EPA
November 28, 1983	In order to improve the frequency, visibility, and forcefulness of enforcement actions, the Agency issued guidance on EPA action in unauthorized States
November 29, 1983	Standards set for FIFRA, TSCA lab tests ("good lab practices")
November 30 - December 1, 1983	Initiative to review and expand exchanges with the Federal Republic of Germany pursued to develop an exchange of expert visits on acid rain research
November 30 - December 1, 1983	Toxics Integration Task Force submitted their findings and recommendations to the Deputy Administrator
November 1983	U.S. delegation to NATO's Committee on the Challenges of Modern Society led by EPA

DECEMBER 1983

December 1, 1982	Proposed rule for PCB Exclusions, Exemptions, and Use Authorizations
December 8, 1983	Interagency Committee on Indoor Air Quality conducts preview of research plans

December 9, 1983	Recovery of Love Canal costs sought from Occidental Chemical Corporation of nearly \$45 million
December 14, 1983	Electrical and electronic components effluent guideline (Phase II) promulgated
December 14, 1983	EPA issues guidance for enforcement of the Prevention of Significant Deterioration requirements of the Clean Air Act
December 14, 1983	Delaware first State to receive final authorization to conduct hazardous waste program
December 15, 1983	Clean up of Petro Processors in Louisiana with 10 companies for an estimated \$50 to \$60 million agreed to
December 15, 1983	National Dioxin Strategy issued for investigating, identifying, and cleaning up sites contaminated by dioxin. Represents a coordinated comprehensive approach to the assessment of dioxin-related risk
December 15, 1983	Standards announced for benzene emissions from petroleum refineries and chemical manufacturing plants and to propose standards for controlling benzene emissions from coke byproduct recovery plants
December 15, 1983	First meeting of Interagency Risk Management Council, including chiefs of EPA, OSHA, CPSC, and FDA
December 19, 1983	Cleveland Wrecking Co. settles with EPA for \$7,500 in a landmark asbestos enforcement action under the Clean Air Act
December 20, 1983	EPA issues guidance on tracking compliance with requirements in active consent decrees by defendants
December 21, 1983	Complete reorganization of Office of Public Affairs announced to improve service to public

December 23, 1983	Backlog under Section 4 of TSCA eliminated. EPA analyzed all 37 backlog chemicals and responded in accordance with the court order
December 28, 1983	NSPS for Claus Sulfur Recovery Review promulgated
December 30, 1983	NSPS for distillation operation - Synthetic Organic Chemical Manufacturing Industry proposed
December 1983	<u>EPA Journal</u> resumes 10 times a year publication
December 1983	Deutch acid rain report released

JANUARY 1984

January 5, 1984	Study of EDB contamination of agricultural products intensified; Agency considers new steps to deal with raw and processed agricultural products contaminated with EDB
January 5, 1984	Priority review initiated under Section 4(f) of TSCA for 1,3-butadiene EPA plans to either initiate rulemaking or publish decision that the risk posed is not unreasonable by May 7, 1984
January 5, 1984	Remaining uses of soil fumigant DBCP on pineapple fields in Hawaiian Islands to be banned after information showing groundwater contamination by the pesticide
January 6, 1984	Action taken against 17 companies for fuel blending violations in Michigan for alcohol in gasoline
January 10, 1984	Agreement reached on \$30 million clean up of S-Area Landfill in Niagara Falls with Occidental Chemical Corporation
January 11, 1984	Supreme Court on procedural grounds upholds a lower court opinion barring the use of contractors to perform compliance inspections under the Clean Air Act

January 13, 1984	Groundwater policy actions on waste ponds as a result of National Surface Impoundment Assessment Report published
January 13, 1984	Data sought from States on EDB pesticide. Ruckelshaus sent letters to all 50 States requesting any data concerning food products contaminated with EDB
January 17, 1984	More stringent standards postponed for 2 years for diesel particulate emissions from passenger cars and light duty trucks
January 17, 1984	NSPS for petroleum refineries/ FCC regenerators proposed
January 17, 1984	Six aquifers approved as sole sources of drinking water
January 18, 1984	Compliance Strategy Task Force issues final, program-specific Compliance/ Enforcement strategies and statement of working principles underlying national compliance and enforcement programs
January 19, 1984	NSPS revision for Kraft Pulp Mills proposed
January 19, 1984	Sanctions announced for Fresno County, California
January 20, 1984	NSPS for onshore production, VOC and SO ₂ proposed
January 20, 1984	Suit filed by EPA, DOJ to clean up dioxin sites in Missouri
January 30, 1984	EPA announces National Municipal Policy to protect water quality
January 23, 1984	First TSCA Section 5(f): immediately effective rule to control risk of cancer resulting from nitrosamine formation during use of a new chemical substance

January 26, 1984	After trial on the Government's complaint, Kaiser Steel Corporation is assessed a civil penalty of \$825,000 for violations of the Clean Air Act at its Fontana, California, steel-making facility
January 24-25, 1984	EPA holds National Compliance and Enforcement Conference
January 1984	Management review results in Asbestos-in-Schools Study containing recommendation for further action; additional resources provided for enforcement of asbestos-in-schools rule
January 1984	Office of Groundwater Protection established
January 1984	Task Force established to study and recommend future of the construction grants program
January 1984	Non-point Source Pollution Report to Congress
January 1984	Draft groundwater protection strategy sent to State officials, business and industry, environmentalists, and State associations for comments

FEBRUARY 1984

February 1, 1984	Reagan's proposed 1985 funding increase for EPA among largest proposed percentage increase in Domestic Federal Budget including increases of 750 workyears and \$295 million above 1984 level
February 2, 1984	Administrator testifies on Acid Rain Policy Development before the Senate Environment and Public Works
February 2, 1984	Subaru volunteers to remedy emissions problem on certain 1979 cars
February 3, 1984	The Administrator signed the charter and established the Pretreatment Review Task Force to provide advice to EPA on improving implementation of the National Pretreatment Program

February 3, 1984	Toxics Control Policy to assess and control toxic chemicals in rivers and lakes. Policy encourages biological as well as chemical testing methods in controlling toxics and will enable EPA and States to address problems that were previously not detectable
February 3, 1984	Immediate emergency suspension of the pesticide EDB announced for use as a grain fumigant; recommended residue levels issued for grain and grain-related products
February 6-8, 1984	Administrator led U.S. delegation to Japan for the Eighth Joint Meeting under environmental bilateral agreement, which consists of 14 cooperative projects
February 7, 1984	NSPS for fiberglass proposed
February 7, 1984	Generic list of 25 hazardous chlorinated aliphatic hydrocarbon contaminated waste streams, via a single regulatory action. By regulating as a generic class the Agency was able to speed up rulemaking, thereby improving protection afforded to public health and the environment
February 8, 1984	Water quality improvements and problems noted before Congress
February 14, 1984	Proposal made not to regulate polycyclic organic matter (POM) as a general class under Clean Air Act
February 15, 1984	Plastics molding and forming effluent guidelines proposed
February 16, 1984	EPA issues new Uniform Civil Penalty Policy
February 16-17, 1984	Renewed leadership role pursued by EPA in environmental cooperation with the Organization for Economic Cooperation and Development (OECD) in developing an agreed OECD notification procedure for the export of banned and severely restricted chemicals

February 17, 1984	EPA grants Service Employee International Union (SEIU) petition to investigate need for further regulation of asbestos in schools and public buildings
February 17, 1984	National air standard for nitrogen dioxide (NO ₂) retained
February 18, 1984	Ruckelshaus makes major speech at Princeton University, "Risks in a Free Society"
February 21, 1984	NSPS for metallic minerals promulgated
February 21, 1984	Revised construction grants regulations issued; they are shorter, simpler, and provide more flexibility to the States in construction of wastewater treatment facilities
February 22, 1984	Arrangements were approved for cooperation on the St. John River between U.S. and Canada
February 26 - March 6, 1984	Transboundary movement of hazardous waste guidelines were established in cooperation with OECD and EPA
February 1984	First chemical advisory issued by OTS under TSCA covering use of used motor oil
February 1984	Administrator announces intent to pursue further steps to reduce the lead content of gasoline

MARCH 1984

March 1, 1984	Extensions of six basic EPA laws submitted to Congress
March 2, 1984	Administrator testifies on EPA Budget before the Senate Environment and Public Works

March 5, 1984	Administrator testifies on EDB decision before the House Government Operations Subcommittee
March 6, 1984	EPA proposes tolerance levels for EDB residues in citrus fruits and papayas that will eliminate all EDB in fruit for U.S. consumption by September 1
March 6, 1984	NSPS Proposal for Benzene (withdrawal of Maleic Anhydride, Ethylbenzene/Styrene, and Benzene storage)
March 6-7-8, 1984	Administrator testifies on Appropriations before the House Appropriations Subcommittee
March 8, 1984	Nonferrous metals (Phase I) effluent guideline promulgated
March 9, 1984	Battery manufacturing effluent guideline promulgated
March 9, 1984	Particulate matter 10, decision to improve standard, changing the focus from larger total particles to smaller, inhalable particles that are more damaging to human health
March 12, 1984	In the first administrative civil complaint issued under EPA's school asbestos rule, EPA assesses a \$24,000 penalty against New Hampshire Administrative Unit No. 19 for violation at three schools
March 14, 1984	Administrator testifies on R&D Overview before the House Science and Technology
March 14, 1984	Uniform manifest document for tracking the interstate transportation of hazardous wastes jointly issued by DOT/EPA
March 15, 1984	Administrator testifies on Future of Superfund before the House Energy and Commerce Subcommittee on Commerce, Transportation, and Tourism

March 16, 1984	3(c)(2)(b) letters requesting additional data issued for alternatives of EDB
March 15, 1984	Six State Implementation Plans approved as required under Clean Air Act, which calls for total actual increase of approximately 16,000 tons of sulfur dioxide (SO ₂)
March 16, 1984	Risks to human health by PCB transformer fires is being assessed by EPA in an Advanced Notice of Proposed Rulemaking
March 19, 1984	186,000 1980 model year GM cars were ordered recalled by EPA because they exceed Federal emission standards for hydrocarbons
March 20, 1984	The Deputy Administrator issues a policy that provides a framework for RCRA enforcement activities
March 20, 1984	Charter signed to establish Administrator's Pesticide Advisory Committee (APAC)
March 20, 1984	Administrator testifies on Appropriations before the Senate Appropriations Subcommittee
March 21, 1984	Special review of the pesticide dicofol initiated after determining that continued use may cause unreasonable risks to wildlife populations
March 21, 1984	10 corporations announced an agreement with EPA and Frank Kelly, Attorney General of Michigan, for voluntary clean up of portions of the Berlin and Farro hazardous waste site
March 23, 1984	Second meeting of Interagency Risk Management Council
March 23, 1984	EPA and Department of Justice announce a \$34 million settlement with LTV Corp., that includes a record \$4 million penalty for violations of the Clean Air Act

March 27, 1984	Non-point Source Pollution Task Force formed
March 28, 1984	According to a new report prepared by the Association of State and Interstate Water Pollution Control Administrators, the nation's water is cleaner than it was 10 years ago
March 28, 1984	Dow agrees to provide under the Clean Water Act information on internal waste-streams at Midland, Michigan, plant as embodied in filed consent decree
March 29, 1984	Administrator testifies on Clean Water Act Reauthorization before the House Energy and Commerce Subcommittee
March 1984	Underground injection control direct implementation regulations promulgated
March 1984	Oversight/delegation policy announced

April 1984

April 2, 1984	Final report on Toxics Integration Task Force issued
April 5, 1984	EPA Enforces Unleaded Fuel Regulations
April 5, 1984	EPA to Revise Vehicle Mileage Figures
April 6, 1984	EPA Considers Emission Standards for Methanol Autos
April 9, 1984	Administrator Establishes Pesticide Advisory Committee
April 9, 1984	EPA Amends Hazardous Air Pollutant Regulations for Asbestos
April 12, 1984	EPA Creates Office of Ground Water
April 17, 1984	EPA Announces Settlement on Water Pollution Rules for Petroleum Refining Industry

April 20, 1984	EPA Places Restrictions on Pesticide Ethylene Oxide
April 23, 1984	EPA Makes Public Recommendations on Ocean Incineration Permits
April 24, 1984	EPA Issues Final EDB Residue Levels on Grain
April 26, 1984	EPA Designates Disposal Sites 106 Miles off Atlantic Coast
April 26, 1984	EPA Proposes Conditional Registration of Larvadex Pesticide
April 27, 1984	EPA Defines New Private-Party Role in Cleanup of Superfund Sites
April 27, 1984	EPA Releases New Estimate on Amount of Hazardous Waste Now Regulated
May 1, 1984	EPA Establishes New Human Resources Office
May 2, 1984	EPA Proposes Revised Water Pollution Rules for Coal Industry
May 7, 1984	Ruckelshaus Cites Vehicle Emissions as Major Air Pollution Problem
May 7, 1984	1,3 Butadiene ANPR Signed